



United States Bankruptcy Court
Middle District of Florida - Tampa Division
Sam M. Gibbons United States Courthouse
801 N. Florida Avenue, Suite 518
Tampa, Florida 33602-3899

Memorandum from
Chas. G. Kilcoyne
Deputy-in-Charge

Telephone
(813) 301-5037

Date: August 7, 2007
To: All Interested Parties
Subject: Procedural changes

All Judges in the Tampa/Ft. Myers Divisions have made recent procedural changes that I need to bring to your attention.

First, in all forms of order concluding a pre-trial conference and setting a contested matter for final evidentiary hearing, a new paragraph has been added which reads as follows:

“To the extent there are disputes during the conduct of discovery in this case, the parties shall first confer in good faith to resolve the issue. If unsuccessful, a party, or any of them, may request a telephone conference with the Court at a convenient time for all parties at which a court reporter will not be present. If the request is granted, then the Court will hear from the parties and advise the parties informally as to how the Court might rule if formally presented with the dispute. The Court’s informal ruling shall be without prejudice to the right of the party to file a formal motion and be heard on the matters in dispute.”

Make the request for a telephone conference by contacting the courtroom deputy for the judge assigned to the case.

Second, the Clerk’s office has added a second paragraph to and changed the title of a notice to now read “Notice of Requirement to File Statement of Completion of Course in Personal Financial Management and File a Certificate Regarding Domestic Support Obligation”, which will be entered in all Chapter 13 cases.

In order for a debtor to comply with 11 U.S. C. section 1328(a), the Notice directs that if the debtor is required by judicial or administrative order, or by statute, to pay a domestic support obligation, file a Certificate that all amounts payable under such order or such statute that are due on or before the date of the certification (including amounts due before the petition was filed, but only to the extent provided for by the plan) have been paid or file a Certificate stating that the debtor is not required to pay a domestic support obligation.

Please note that failure to file the Certification of Completion of Instructional Course Concerning Personal Financial Management and the Certificate regarding a domestic support obligation prior to completing all payments under the Chapter 13 plan will result in the case being closed without

an entry of a discharge.

The debtor would be required to file a motion to reopen case and pay the prescribed filing fee in order to file one or both of these Certificates in order to obtain a discharge.